

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ENERIA RODRIGUEZ,

Plaintiff,

-against-

CARIDAD SEA FOOD RESTAURANT  
CORP. et al.,

Defendant(s).

21-cv-6849 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:


As discussed at the November 4, 2024 conference on the record:

1. The second motion to withdraw as counsel for Victoria Marine and 231 El Valle is GRANTED as to Victoria Marine and DENIED as to 231 El Valle (Dkt. 121). The parties should meet and confer by **Wednesday, November 6, 2024** to determine if Victoria Marine and 231 El Valle are both in default here based on the circumstances described at the conference. Based on the outcome of that meet and confer, counsel for 231 El Valle can resubmit his application to withdraw, and plaintiff may pursue a default judgment against Marine and 231 El Valle.
2. For the reasons discussed at today's conference, Plaintiff's motions *in limine* are GRANTED (Dkt. 117).
3. For the reasons discussed at today's conference, Defendants' motions *in limine* are GRANTED in part and DENIED in part (Dkt. 114). Plaintiff is precluded from referencing defendant Carlos Mendez's immigration status; however, the parties are permitted to reference defendants 231 El Valle and Victoria Marine. As liquidated damages is an issue for the Court to decide, the Court will not bifurcate the jury trial portion of the proceedings, but liquidated damages will be addressed separately.
4. By **Wednesday, November 6, 2024 at 5:00 pm**, the parties shall submit letters addressing the admissibility of plaintiff's exhibits 17-20 as well as the "contribution" argument made by defendants.
5. By **Wednesday, November 6, 2024 at 5:00 pm**, the parties shall submit any proposals for modifying the jury instructions, *voir dire*, and verdict form submitted in the parties' joint pretrial statement (Dkt. 119).
6. The Court will hold a settlement conference on **Wednesday, November 6, 2024 at 11:00 am** in Courtroom 15A, 500 Pearl Street, New York, NY 10007.
7. The Court will hold a follow-up pre-trial conference on **Friday, November 8, 2024 at 2:00 pm** in Courtroom 15A, 500 Pearl Street, New York NY 10007.

The Clerk of Court is respectfully requested to terminate the motions at Dkts. 114, 117, 121 and 130.

SO ORDERED.

Dated: November 4, 2024  
New York, New York

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ARUN SUBRAMANIAN  
United States District Judge